

ALIOTO LAW FIRM

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April 15, 2019

Via ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *John Nypl, et al. v. JP Morgan Chase & Co et al.*, No. 15-cv-9300 (LGS)
("Nypl")
In re Foreign Exchange Benchmark Antitrust Litigation No. 13-7789-LGS
("Forex")
Application for Order for Coordination and Extension of Time


Dear Judge Schofield:

Nypl Plaintiffs' counsel seek to take the deposition of Matthew Gardiner in the United Kingdom per their Motion For Issuance Of Hague Convention Request, (*Nypl* ECF No. 437) and their Stipulation And Order Concerning Deposition Coordination (*Nypl* ECF No. 425), as do the *Forex* Plaintiffs, who possess Mr. Gardiner's U.K. address as set forth in their papers, (*Forex* ECF No. 1273-1) (Ex. 1 attached). On April 11, 2019 I made a meet and confer telephone call to Christopher Burke, *Forex* counsel and requested Mr. Gardiner's address in the U.K. followed by the attached e-mail on April 12, 2019 (Ex. 2 attached) requesting the address with the attached reply declining my request. (Ex. 3 attached). I need Mr. Gardiner's address to comply with this Court's Order requiring *Nypl* counsel to include Mr. Gardiner's address in our motion papers, which Order I forwarded to Mr. Burke. In the meantime, I sent an e-mail request to UBS counsel, who has not as yet responded.

The *Nypl* Plaintiffs submit this application for an order for *Forex* counsel to provide Mr. Gardiner's U.K. address to *Nypl* counsel and to give *Nypl* counsel advance notice of the scheduling and noticing of depositions in the U.K. and Europe in the *Forex* case.

It is ORDERED that, if UBS has knowledge of Gardiner's address, UBS shall produce the address to Plaintiffs no later than April 19, 2019. It is further ORDERED that by April 23, 2019, Plaintiffs shall file the proposed Letter of Request in redacted form on ECF and in unredacted form under seal, and shall submit a copy in Microsoft Word format to the Chambers Inbox. By April 19, 2019, Class Counsel in In re FOREX shall file a letter responding to Plaintiffs' request for advance notice of the scheduling and noticing of depositions in the U.K. and Europe. The Clerk of Court is respectfully directed to docket this Order at No. 13 Civ. 7789 and 15 Civ. 9300.

Dated: April 16, 2019
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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Respectfully submitted:

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LAW OFFICES OF LINGEL H. WINTERS P. C.

By: /s/ Joseph M. Alioto
Joseph M. Alioto

By: /s/ Lingel H. Winters
Lingel H. Winters

cc: Counsel of Record via ECF